

FILED  
2005 FEB -4  
CLERK  
US BANKRUPTCY COURT  
ALEXANDRIA DIVISION  
AIC: 14

|   |  |  |                                  |
|---|--|--|----------------------------------|
| <b>Voluntary Petition</b><br>(This page must be completed and filed in every case)  |  | Name of Debtor(s):<br><b>Russell Ervin Burden, Jr.</b> |                                  |
| <b>Prior Bankruptcy Case Filed Within Last 6 Years</b> (If more than one, attach additional sheet)                                  |  |  |                                  |
| Location<br>Where Filed: <b>Alexandria Bankruptcy Ct.</b>   |  | Case Number:<br><b>04-14393</b>                        | Date Filed:<br><b>10-22-2004</b> |
| <b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor</b> (If more than one, attach additional sheet) |  |  |                                  |
| Name of Debtor:   |  | Case Number:   | Date Filed:                      |
| District:   |  | Relationship:  | Judge:                           |

**Signatures**

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

**Russell Ervin Burden, Jr.**

Signature of Debtor

X

Signature of Joint Debtor

**703-831-4162**

Telephone Number (If not represented by attorney)

**2-3-2005**

Date

**Signature of Attorney**

X

Signature of Attorney for Debtor(s)

Printed Name of Attorney for Debtor(s) Bar ID Number

Firm Name

Address

Telephone Number

Date

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Signature of Attorney for Debtor(s)

Date

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☐ No

**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

In re

Russell Ervin Burden, Jr.  
E-Superwholesale  
Real Estate Solutions of America  
Debtor(s)

Case No. \_\_\_\_\_

Chapter 7

DECLARATION OF DIVISIONAL VENUE

The debtor's domicile, residence, principal place of business or principal assets were located for the greater part of the 180 days preceding the filing of the bankruptcy petition in the indicated city or county [check one box only]:

ALEXANDRIA DIVISION

Cities:

- ☒ Alexandria-510  
☐ Fairfax-600  
☐ Falls Church-610  
☐ Manassas-683  
☐ Manassas Park-685

Counties:

- ☐ Arlington-013  
☐ Fairfax-059  
☐ Fauquier-061  
☐ Loudoun-107  
☐ Prince William-153  
☐ Stafford-179

RICHMOND DIVISION

Cities:

- ☐ Richmond (city)-760  
☐ Colonial Heights-570  
☐ Emporia-595  
☐ Fredericksburg-630  
☐ Hopewell-670  
☐ Petersburg-730

Counties:

- ☐ Amelia-007  
☐ Brunswick-025  
☐ Caroline-033  
☐ Charles City-036  
☐ Chesterfield-041  
☐ Dinwiddie-053  
☐ Essex-057  
☐ Goochland-075  
☐ Greenville-081  
☐ Hanover-085  
☐ Henrico-087  
☐ King and Queen-097  
☐ King George-099  
☐ King William-101  
☐ Lancaster-103  
☐ Lunenburg-111  
☐ Mecklenburg-117  
☐ Middlesex-119  
☐ New Kent-127  
☐ Northumberland-133  
☐ Nottoway-135  
☐ Powhatan-145  
☐ Prince Edward-147  
☐ Prince George-149  
☐ Richmond(county)-159  
☐ Spotsylvania-177  
☐ Surry-181  
☐ Sussex-183  
☐ Westmoreland-193

NORFOLK DIVISION

Cities:

- ☐ Norfolk-710  
☐ Cape Charles-535  
☐ Chesapeake-550  
☐ Franklin-620  
☐ Portsmouth-740  
☐ Suffolk-800  
☐ Virginia Beach-810

Counties:

- ☐ Accomack-001  
☐ Isle of Wight-093  
☐ Northampton-131  
☐ Southampton-175

NEWPORT NEWS DIVISION

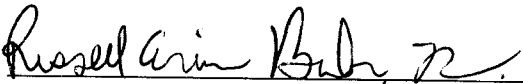
Cities:

- ☐ Newport News-700  
☐ Hampton-650  
☐ Poquoson-735  
☐ Williamsburg-830

Counties:

- ☐ Gloucester-073  
☐ James City-095  
☐ Mathews-115  
☐ York-199

Date: 2-3-2005

  
Signature of Attorney or Pro Se Debtor

\_\_\_\_\_  
Signature of Joint Debtor (if case is a joint case and debtors are not represented by an attorney)

☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this Division.

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. *Court employees are prohibited from giving you legal advice*

**Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee and \$15 Trustee surcharge)**

- Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
- In a Chapter 7 case, a trustee secures for the bankruptcy estate all your assets which the trustee may obtain under the applicable provisions of the Bankruptcy Code. You may claim certain of your property exempt under governing law. The trustee may then liquidate the non-exempt property as necessary and use the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
- The purpose of filing a Chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
- Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
- Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)**

- Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for Chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- Under Chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
- Under Chapter 13, unlike Chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
- After completion of payments under your plan your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long-term secured obligations.

**Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)**

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a Chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer (\$200 filing fee plus \$39 administrative fee)**

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to Chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm.

CLERK OF COURT

ACKNOWLEDGMENT

I, the debtor, affirm that I have read this notice.

Dated: 2-4-05

[Signature]  
Debtor

\_\_\_\_\_  
Joint Debtor (if any)